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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

11 KAYSEE NITTA,  
12 Plaintiff,  
13 v.  
14 UNITED STATES OF AMERICA,  
15 Defendant.

2:17-cv-01137-GMN-CWH

## **Stipulation and Order to Stay Damages Discovery, Pending Ruling on Motion for Summary Judgment**

17       For the reasons stated below, the parties, through undersigned counsel, respectfully  
18 request and stipulate to a stay of damages discovery, pending resolution of the United  
19 States' Motion to Dismiss or, in the alternative, Summary Judgment (ECF No. 32, filed  
20 12/17/18) ("MSJ").

1 A district court has inherent power to control its docket and stay cases. *See Wallace*  
2  
3 *v. U.S.A.A. Life Gen. Agency, Inc.*, 862 F. Supp.2d 1062, 1068, (D. Nev. 2012); *Stern v. United*  
4 *States*, 563 F. Supp. 484, 489 (D. Nev. 1983). On June 28, 2019, the Court issued an Order  
5 (ECF No. 49), which, among other things, set a 45-day window (which would be August  
6 12, 2019) for the United States to conduct damages discovery, along with a deadline of  
7 August 16, 2019 for the United States' expert disclosure. The parties would like to defer  
8 allocating time, expenses, and resources, if at all, to such discovery until after the Court  
9 issues a ruling on the pending MSJ, which addresses the issue of liability. Additionally,

1 undersigned defense counsel will be out of the office for travel and attendance at a seminar  
2 in Columbia, South Carolina during July 15-19, 2019, and he has three summary judgment  
3 briefs due in other matters during the month of July 2019. Accordingly, the parties  
4 respectfully request an order providing that the 45-day window for damages discovery will  
5 be stayed until a ruling on the MSJ, and that the United States' expert disclosure will be  
6 due four days after the close of such discovery window.

7 This stipulated request is submitted for the reasons explained above, in good faith,  
8 and not for purposes of undue delay.

9 Respectfully submitted this 1st day of July 2019.

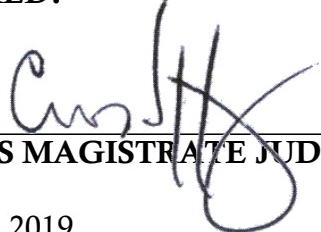
10 SGRO & ROGER

11  
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19 IT IS SO ORDERED:  
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UNITED STATES MAGISTRATE JUDGE  


DATED: July 5, 2019